



IAP04Rec'd PCT 19 JUN 2008
JUN 19 2008

File No. 049318-0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re:

Applicant: SPARKES, VERNON W.

Group Art Unit: 3611

Serial No: 10/595,982

Examiner: not known

International Filing Date: December 6, 2004

For: "PIVOTING HITCH ASSEMBLY"

Honourable Commissioner of Patents
and Trademarks,
Arlington, VA,
U.S.A.

Sir :

**MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the Notification of Defective Requirements mailed on June 3, 2008, please find
enclosed:

1. A copy of the Notice;
2. A Declaration in compliance with §1.497(a) and (b) signed by the inventors and identifying the application by the International Application Number and Filing Date.
3. A Declaration by Dr. William Shaw, being added as an inventor, declaring that the failure to list him as an inventor occurred without deceptive intent on his part.
4. A Power of Attorney form executed by Dr. W. Shaw.
5. An Information Disclosure Statement by the Applicant.

The declaration lists an inventive entity different from the inventive entity set forth in the international application and is in compliance with §1.497(d) and (f) for filing an oath or declaration pursuant to 35 USC 371(c)(4). Please add Dr. William Shaw as an inventor.

06/20/2008 GFREY1 00000092 10595982

01 FC:1618
02 FC:2617

130.00 0P
65.00 0P

Please find enclosed a cheque in the amount of one hundred and ninety five dollars (\$195 US) for payment of the surcharge of sixty five dollars (\$65 US) and one hundred and thirty dollars (\$130 US) for the processing fee set forth in §1.17(i). The Commissioner is also hereby authorized to charge any additional fees which may be required, or credit any overpayment associated with this submittal to our Deposit Account No. 50-4138.

Favourable consideration is respectfully requested.

Respectfully submitted,


Susan L. Rancourt, Reg. No. 56,016
Date: June 18, 2008.

HEENAN BLAIKIE LLP
200 Bay Street,
PO Box 185, South Tower, Royal Bank Plaza
Toronto, Ontario
Canada
M5J 2J4
(416)-643-6813 (phone)
(866)-223-1745 (fax)

HBdocs - 4448942v1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/595,982	VERNON W. SPARKES	52922-11
HEENAN BLAIKIE LLP 200 Bay Street, P. O. Box 185, South Tower Royal Bank Plaza Toronto, M5J 2J4 CANADA		INTERNATIONAL APPLICATION NO. PCT/CA04/02102
Entered JUN 11 2008 Out to _____ Diary Date _____		I.A. FILING DATE PRIORITY DATE 12/06/2004 01/21/2004
CONFIRMATION NO. 1264 371 FORMALITIES LETTER		



Date Mailed: 06/03/2008

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 05/23/2006
- Copy of the International Search Report filed on 05/23/2006
- Copy of IPE Report filed on 05/23/2006
- Preliminary Amendments filed on 05/23/2006
- Small Entity Statement filed on 05/23/2006
- U.S. Basic National Fees filed on 05/23/2006
- Priority Documents filed on 05/23/2006
- Power of Attorney filed on 11/19/2007
- Specification filed on 05/23/2006
- Abstracts filed on 05/23/2006
- Drawings filed on 05/23/2006

Applicant's response filed 11/19/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 01/22/2008 have not been completed.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- Surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 was not received.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- \$65 Surcharge.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR

1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204